

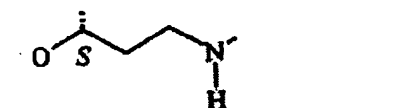
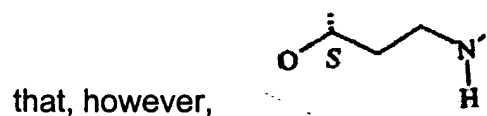
The Office Action stated that Annex B, Part 1(b), provides that "special technical features" mean those technical features which, as a whole, define a contribution over the prior art (novelty/unobviousness).

The Office Action stated that applicants are required to elect one of the following inventions:

- I. Claims 1 to 7 and 11 to 15, drawn to process of making salts of carboxylic acid, classifiable in Classes 560, and numerous subclasses.
- II. Claims 8 and 9, drawn to second salts of carboxylic acid, classifiable in Classes 568, and numerous subclasses.
- III. Claim 10, drawn to salts of carboxylic acid of group I, classifiable in Class 560, and numerous subclasses.

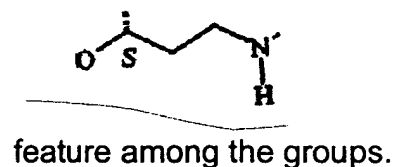
Applicants elect with traverse the invention of Group I, Claims 1 to 7 and 11 to 15.

The Office Action stated: that, in the instant inventions, the only structural elements shared by groups I-III is



is well known in the art; see

US 6,008,412; and that, therefore, under PCT Rules 13.1 and 13.2,



The Office Action stated: that applicants are reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application; and that any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

The Office Action stated: that the Examiner has required restriction between product and process claims; that, where applicants elect claims directed to the product, and the product claims are subsequently found allowable, withdrawn process claims that depend from or otherwise require all the limitations of the allowable product claim will be considered for rejoinder; and that all claims directed a nonelected process invention must require all the limitations of an allowable product claim for that process invention to be rejoined.

The Office Action stated: that, in the event of rejoinder, the requirement for restriction between the product claims and the rejoined process claims will be withdrawn, and the rejoined process claims will be fully examined for patentability in accordance with 37 CFR 1.104; that, thus, to be allowable, the rejoined claims must meet all criteria for patentability including the requirements of 35 U.S.C. 101, 102, 103 and 112; that, until all of the claims to the elected product are found allowable, an otherwise proper restriction requirement between product claims and process claims may be maintained; that withdrawn process claims that are not commensurate in scope with an allowable product claim will not be rejoined; see

M.P.E.P. § 821.04(b); that, additionally, in order to retain the right to rejoinder in accordance with the above policy, applicant is advised that the process claims should be amended during prosecution to require the limitations of the product claims; that failure to do so may result in a loss of the right to rejoinder; that, further, note that the prohibition against double patenting rejections of 35 U.S.C. 121 does not apply where the Examiner before the patent issues withdraws the restriction requirement; and see MPEP § 804.01.

Applicants reserve the right to file divisional and/or continuing applications drawn to the nonelected inventions.

Respectfully submitted,

May 27, 2009
Date

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